



MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)
Santa Monica Mountains
MEETING OF DECEMBER 21, 2009
(Minutes approved on January 25, 2010)

PERSONS IN ATTENDANCE:

ERB MEMBERS

Rosi Dagit (absent)
Dr. Noël Davis (absent)
Ron Durbin
Suzanne Goode
Dr. Margot Griswold (absent)
Richard Ibarra
Dr. Travis Longcore (absent)
David Magney (absent)

REGIONAL PLANNING STAFF

Jeff Juarez (ERB Coordinator)
Dr. Shirley Imsand (County Biologist)
Adrienne Ng (Planning staff)

Project No. R2006-03840/RENV2006-00262

The Will Geer Theatricum Botanicum, Topanga/APN: 4440-012-006, 4440-006-004, -005

Ellen Geer	egtree@theatricum.com
Oscar McGraw	oscar@oscarmcgraw.com

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AGENDA ITEMS & PAGINATION:

1. Review 2010 ERB meeting schedule, p. 2

NEW BUSINESS:

2. **Project No. R2006-03840/RENV2006-00262 (The Will Geer Theatricum Botanicum)**
1419 N. Topanga Canyon Blvd., Topanga/APN: 4440-012-006, 4440-006-004, -005, pp. 2-4

OTHER MATTERS

3. Proposed Oak Tree Ordinance revision, p. 4
4. Public comment pursuant to Section 54954.3 of the Government Code, p. 4

NOTE: ERB MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED AS VOLUNTEERS TO SERVE IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. MEETINGS ARE ALSO RECORDED ON TAPE WHICH IS USED PRIMARILY AS A BACK-UP FOR STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE MEETING. NEW OR CLARIFIED INFORMATION PRESENTED IN BIOTA REVISIONS MAY RAISE NEW ISSUES AND REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE FOLLOWING MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

ERB MINUTES
December 21, 2009

1. No comments were made on the 2010 ERB meeting schedule.

ERB Coordinator Note: A quorum could not be achieved for this meeting. As such, a formal decision on the following project could not be made during this meeting. The ERB suggested offering comments and suggestions on the project, and continuing the project to a subsequent meeting. The applicant agreed to hear the ERB's comments and suggestions, and requested to be placed on the January 2010 ERB meeting agenda.

NEW BUSINESS

2. The Will Geer Theatricum Botanicum (Improvements to existing outdoor theatre)

Project No. R2006-03840
Permit No. Conditional Use Permit No. 2006-00336
Oak Tree Permit No. 2006-00083
Variance No. 200600017
Environmental Review No. 2006-00262
APN: 4440-012-006, 4440-006-004, -005
Location: 1419 N. Topanga Canyon Blvd., Topanga
Applicant: Ellen Geer, Owner

Project: The project proposes the expansion of an existing outdoor theater and botanical garden, including construction of: a commissary deck (245 square feet); a two-story caretaker's residence with storage and workshop (2,397 sq. ft. w/ 1,240 sq. ft. footprint); a prop shop (1,680 sq. ft. w/ 840 sq. ft. footprint); office/storage above existing restrooms (350 sq.ft.); a 20-foot wide fire access extension; solar panels (1,320 sq. ft.); and 46 unpaved tandem parking spaces on the southern portion of the project site. The existing caretaker's trailer and various other small structures will be removed; the existing caretaker's carport will remain. The proposed project would result in an overall total of 14,857 sq. ft. (.34 acres) of lot coverage by structures and 143 parking spaces on the 5-acre project site. Additional off-site parking consists of 114 spaces at Topanga Community Center. To accommodate the improvements, the project proposes removal of one (1) oak tree and encroachment into the protected zones of 23 oak trees.

- Resource:** The project site is located in the Topanga area of the Santa Monica Mountains Malibu Coastal Zone. A majority of the project site is within a Significant Oak Woodland. An ESHA-designated Inland Oak Woodland is located on the western edge of the project site (on parcel 4440-006-005), and Topanga Creek (ESHA) traverses the eastern side of the project site from north to south (parallel to Topanga Canyon Blvd.)
- Request:** Review the proposal for an expansion of the outdoor theater and botanical garden, render a decision on the project, and identify any appropriate recommendations for the project. The ERB recommendations will be used as guidelines by the Regional Planning Commission and as part of any necessary environmental review of the project under the California Environmental Quality Act (CEQA). Projects normally exempt from CEQA are subject to environmental review when in sensitive locations [PRC §15300.2(a)].

APPLICANT COMMENTS:

- The applicant commented that the project has received verbal agreements with Caltrans (for the sound fence). The sound fence would not require additional digging; it would be attached to the guardrail.
- The applicant commented that the solar panels have already been approved by DRP and the Coastal Commission.

ERB COMMENTS:

- The ERB asked if the proposed fence would be completely attached to the (existing) guardrail, with no additional footings to be dug. The photos do not show the existing guardrail (the guardrail should be shown in photos – for the next meeting).
- What about trimming of trees that would be encroached upon by the 10-foot tall fence? These trees and impacts to these trees are not covered by the current oak tree report. This should be clarified. Also, trees within the Caltrans right of way that may be impacted by this project should be in the oak tree report.
- Provide more information on the site's existing eucalyptus. Depending on the number of eucalyptus on the property, all or some of them should be removed because they are a fire hazard, consume large amounts of water, and could be fatal to birds. Please indicate the number and location of eucalyptus on the plans.
- Italian cypress and arundo on the site: contact a professional about removing the site's arundo. (Herbicides may be the most effective way of ridding the site of arundo.) It can be chopped down to ground level, then when it reaches 3 feet tall, a product called Imazapyr is applied in the fall. Tarping does not work. And mechanical removal would not work because it would damage the creek. This can only be done with small arundo plants, or if it's in the bottom of a gravel wash and removed during the dry season. A Fish & Game permit will be required because vegetation will be removed from a riparian zone. The herbicides must be applied at the recommended rates; so it is strongly recommended that a professional do this work.
- Vinca: This should be removed, wherever it occurs on the site. A paper (by Bosard?) recommends cutting the vinca and applying a mix of Round-up and Garlon. Also look to the California Invasive Plant Council as a source for vinca removal strategies.

- Mitigation for removal of tree number 73 should be two 15-gal. trees, not one 10-gal. In addition, this tree is not a Heritage Oak as indicated in the oak tree report. Please change this in the report. Indicate locations of replacement trees.
- Replacement trees should not be “lolly-popped.” Beetles are attracted to single stems of young trees. They should have multiple branches down the trunk. This will ensure a stronger trunk.
- Cut trees shown in photos in the oak tree report should be noted as “approved removal” if a permit was obtained to cut the trees.
- The ERB commented that the tree numbering system on the plans is unusual and was difficult finding the trees indicated in the oak tree report on the plans.
- Errors in the plans’ numbering system should be corrected (such as tree numbers 3 and 13).
- Trees labeled as “canyon oak” should be changed to “coast live oak.”
- Fuel modification will not require any additional clearance for the proposed solar panels. There are no requirements in the fire code to do clearance on solar panels. But the sheds still fall under the brush clearance guidelines and is required for the sheds.
- Photo 13 indicates potential for grading to accommodate the proposed solar panels. It appears that the solar panels may encroach into the adjacent slope by approximately 5 to 10 feet. The solar panels should not be indicated as “new” if they have already been approved under a separate permit.
- For the next review of the project, make corrections where necessary: updated photos of the guardrail, and an updated site plan.
- Only trees being encroached upon under this submittal should be indicated as such on the plans and discussed in the oak tree report. Generally, only things proposed or requested under this submittal should be shown on the plans.

ERB Meeting Date: December 21, 2009

ERB Evaluation: Consistent Consistent after Modifications
 Inconsistent X No decision

Staff Recommendations:

Staff Recommendation:

 Consistent Consistent after Modifications
 Inconsistent X No decision

OTHER MATTERS

1. 1:40 p.m. The proposed Oak Tree Ordinance revisions were presented by Adrienne Ng of Ordinance Studies.
 - Adrienne requested that comments on the revisions be submitted to her by January 13, 2010.
2. 2:00 p.m. Public comment pursuant to Section 54954.3 of the Government Code.